

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF GEORGIA  
STATESBORO DIVISION

MARCUS JACKSON,	)	
	)	
Plaintiff,	)	
	)	
v.	)	CV 624-038
	)	
JACOB BEASLEY, Warden, and SGT.	)	
WILSON,	)	
	)	
Defendants.	)	

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**ORDER**

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Plaintiff, incarcerated at Smith State Prison in Glennville, Georgia, filed this case pursuant to 42 U.S.C. § 1983. On October 17, 2024, the Magistrate Judge entered a Report and Recommendation (“R&R”) recommending dismissal of Plaintiff’s amended complaint for failure to state a claim upon which relief may be granted. (Doc. no. 15.) Objections to the R&R were due no later than November 4, 2024. (Doc. no. 16.)

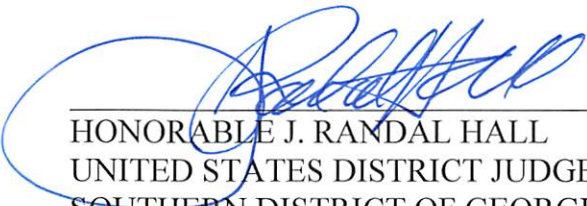
Having received no objections to the R&R by the November 4th deadline, the Court adopted the R&R as its opinion on November 15, 2024. (Doc. no. 18.) On December 23, 2024, the Clerk of Court received Plaintiff’s objections to the R&R via mail, which were signed and dated October 30, 2024. (Doc. no. 21.)

Although Plaintiff’s objections did not reach the Court by the objection deadline, using Plaintiff’s signature date of October 30, 2024, and granting him the benefit of the “mailbox rule,” the Court accepts the objections. See Houston v. Lack, 487 U.S. 266, 276 (1988)

(deeming prisoner document filed on the date of delivery to prison officials for mailing); United States v. Glover, 686 F.3d 1203, 1205 (11th Cir. 2012) (“Unless there is evidence to the contrary . . . we assume that a prisoner’s motion was delivered to prison authorities on the day he signed it.”). Thus, the Court **VACATES** the adoption order and judgment entered on November 15, 2024. (Doc. nos. 18, 19.)

After a careful, *de novo* review of the file, the Court concurs with the Magistrate Judge’s R&R, to which objections have been filed. (Doc. no. 21.) The Court finds Plaintiff’s objections unavailing. Accordingly, the Court **OVERRULES** Plaintiff’s objections, **ADOPTS** the Report and Recommendation of the Magistrate Judge as its opinion, **DISMISSES** Plaintiff’s amended complaint for failure to state a claim upon which relief may be granted, and **CLOSES** this civil action.

SO ORDERED this 8<sup>th</sup> day of January, 2025, at Augusta, Georgia.

  
HONORABLE J. RANDAL HALL  
UNITED STATES DISTRICT JUDGE  
SOUTHERN DISTRICT OF GEORGIA